

12-20-01

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Practitioner's Docket No. 791_126 CIP2B

PATENT

NEW APPLICATION TRANSMITTAL

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 addressed to **Box Patent Application, Assistant Commissioner for Patents, Washington, D.C. 20231** on December 20, 2001 under "EXPRESS MAIL" mailing label number EL872579881US.

Elizabeth A. VanAntwerp
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10/20/01
12/20/01

Box Patent Application
Assistant Commissioner for Patents
Washington D.C. 20231

Transmitted herewith for filing is the patent application of:

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Inventor 3: Koji KIMURA
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Japan

Title: OPTICAL SWITCH

1. Type of Application

This is a request for filing a **CONTINUATION-IN-PART APPLICATION** under 37 C.F.R. § 1.53(b), of pending prior application:

Serial No.:	09/799,329,	Prior Art Unit:	Not Assigned
Filed:	March 5, 2001,	Prior Examiner:	Not Assigned
Title:	OPTICAL SWITCH		
Inventors:	Yukihisa TAKEUCHI, Tsutomu NANATAKI and Koji KIMURA.		

2. Papers enclosed

A. Required (in JAPANESE) for filing date under 37 CFR 1.53(b) (Regular) are:

45 Page(s) of Specification
8 Page(s) of Claims
1 Page(s) of Abstract
24 Sheets of Formal Drawings (Figs. 1(a)-29)

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JC835 U.S. PTO

10027775-122001

B. Other Papers Enclosed

- ☒ A Patent Application Bibliographic Data
☐ A Preliminary Amendment
☐ An Information Disclosure Statement
☐ PTO Form-1449

3. Additional Papers to Follow Under Separate Cover

- ☒ A combined Declaration and Power of Attorney
☒ An Assignment Transmittal and Assignment of the invention to:

NGK Insulators, Ltd.
 2-56, Suda-Cho, Mizuho-Ku
 Nagoya, Aichi-Prefecture 467-8530
 Japan

4. The correspondence address for this application is: Customer No.: 025191

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 Facsimile: (315) 233-8320

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5. Relate Back**A. 35 U.S.C. 119(e)**

- ☐ Priority of provisional application Serial No. _____, filed _____, is hereby claimed under 35 U.S.C. §119(e).

B. 35 U.S.C. 120, 121 and 365(c)

- ☒ Priority of said prior application Serial No. 09/799,329, filed March 5, 2001, and grandparent application Serial No. 09/749,068, filed December 27, 2000, is hereby claimed under 35 U.S.C. §120.

C. 35 U.S.C. 119 Priority Claim for Prior Application

- ☒ Priority of foreign application(s) is hereby claimed under 35 U.S.C. §119 as follows:

<u>Country</u>	<u>Application Number</u>	<u>Filing Date</u>
Japan	2000-391715	December 22, 2000
Japan	2001-056740	March 1, 2001

- ☒ Certified copies of the above corresponding foreign applications will follow under separate cover in prior application Serial No. 09/799,329.

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6. ☒ Amend the specification by inserting after the title and before the first line the sentence:

--Cross Reference to Related Applications

This application is a continuation-in-part application of U.S. Application Serial No. 09/799,329 filed March 5, 2001, which in turn is a continuation-in-part of U.S. Application Serial No. 09/749,068 filed December 27, 2000, the entireties of which are incorporated herein by reference.--

7. Nonpublication Request Under 35 U.S.C. 122(b)(2)(B)(i)

- ☐ Applicants hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.
- ☐ Applicants hereby request that the attached application **not be** published under 35 U.S.C. 122(b).

8. The filing fee has been calculated as shown below:

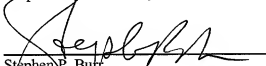
Basic Filing fee (37 CFR §1.16(a))				\$ 740.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	47 - 20 =	27	× \$ 18.00	\$ 486.00
Independent Claims	2 - 3 =	0	× \$ 84.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	
Surcharge fees (37 C.F.R. 1.16(e)–\$130.00) <input checked="" type="checkbox"/> late payment of filing fee <i>and/or</i> <input checked="" type="checkbox"/> late filing of original declaration or oath (37 C.F.R. 1.16(e)–\$130.00)				\$ 130.00
TOTAL OF ABOVE CALCULATIONS =				\$ 1,356.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				
SUBTOTAL =				\$ 1,356.00
<input checked="" type="checkbox"/> Fee for processing an application filed with a specification in a non-English language (37 C.F.R. 1.17(i) and 1.52(d)–\$130.00)				\$ 130.00
<input checked="" type="checkbox"/> Assignment Fee (37 CFR §1.21(h)–\$40.00)				\$ 40.00
TOTAL FEES DUE =				\$ 1,526.00

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**9. Payment of Fees and Authorization to Charge Additional Fees
or Credit Overpayment**

- ☐ A check in the amount of _____ is enclosed.
- ☐ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446. A duplicate copy of this sheet is enclosed.
- ☐ Any additional filing fees required under 37 CFR 1.16.
- ☐ Any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,



Stephen P. Burr
Reg. No. 32,970

December 20, 2001

Date

SPB/eav

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